

REMARKS

According to the foregoing, claims 1- 8 are amended for clarity; thus, the pending claims 1-8 remain for reconsideration, which is respectfully requested.

No new matter has been added and accordingly, entry and approval of the amended claims 1- 8 are respectfully requested.

STATUS OF THE CLAIMS:

Claims 1-8 are pending.

Claims 1-8 are rejected.

ITEMS 2-3: REJECTION OF CLAIMS 1-6 AND 8 UNDER 35 U.S.C. § 101 BECAUSE, ALLEGEDLY, THE CLAIMED INVENTION IS DIRECTED TO NON-STATUTORY SUBJECT MATTER.

This rejection is respectfully traversed

Independent claim 1 is rejected because, allegedly, "the claim ... is not tied to a technological environment... [and] the claim requires the addition of a tangible hardware element to produce a tangible result." The Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (hereinafter referred to as "The Interim Guidelines"), provides, at page 1, lines 8-11:

the claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and **tangible result.**" *State Street*, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. (emphasis added).

However, there is no requirement that a method claim must have "a tangible hardware element to produce a tangible result" as asserted by the Examiner. The Interim Guidelines, further recites, at page 21, lines 15-17:

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing.

Therefore, Applicants respectfully submit that there is no "tangible hardware requirement" and, further, there is no requirement that the claims be "tied to a technological environment," – under the relevant USPTO Rules or The Interim Guidelines, contrary to the assertion by the Examiner.

However, in accordance with the foregoing, claim 1 is amended for clarity to recite, in part, "displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color." Applicants respectfully submit the displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color" is clearly a tangible result. Accordingly, Applicants respectfully submit that the embodiment of claim 1 complies with the requirements of 35 U.S.C. § 101.

The Office Action, in item 3, also rejects claim 8 because, allegedly, "the claims ... [are] not tied to a technological environment... [and] the claim requires the addition of a tangible hardware element to produce a tangible result." Claim 8 recites, in part, "**An information processing apparatus** for processing information comprising: ... **a display** displaying the information relating to the caller in a window with the decided background color." While Applicants respectfully submit that there is no "tangible hardware requirement," contrary to the contention of the Examiner, claim 8 clearly recites "an information processing apparatus" and "a display displaying the information relating to the caller in a window with the decided background color," and thus claim 8 clearly recites "tangible hardware" producing a "tangible result."

ITEMS 4-5: REJECTION OF CLAIMS 1-3, 7 AND 8 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER AZVINE ET AL., U.S. PATENT NO. 7,007,067, HEREINAFTER REFERRED TO AS "AZVINE," IN VIEW OF DOWLING ET AL., U.S. PATENT PUBLICATION NO. 2002/0152045, HEREINAFTER REFERRED TO AS "DOWLING."

This rejection is respectfully traversed.

Independent claims 1, 7 and 8 are allegedly unpatentable over Azvine in view of Dowling

The Office Action asserts that Azvine discloses the claimed "information processing method for supporting a first staff who answers a telephone call from a caller on behalf of a second staff in charge of the caller, the information processing method comprising: extracting information relating to the caller; ... and displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color," at column 30, lines 7-25 of Azvine. Applicants respectfully disagree with the Examiner's assertion, because Azvine at column 30, lines 7-11 recite:

When a call is received, and the above information has been extracted and processed in the second Bayes net 2317, **the telephone assistant 207 outputs a recommended priority status**. This is shown in FIG. 22 as the suggestion for call to be

answered at 2203.

Furthermore, Azvine at column 29, lines 9-17 recite:

A second embodiment of apparatus for processing of communications received by a user over a communications link is a telephone assistant, which is generally similar to the first embodiment described above, for which a description of the operative terms has been given. **The telephone assistant 207 is used to manage a user's incoming telephone calls by performing call screening on incoming phone calls.** The calling line identifier (CLI) of incoming calls may generally be referred to as identification information of the phone call.

In other words, Azvine disclose a telephone assistant that can screen incoming calls based upon a priority status.

In contrast, claim 1 is amended so to recite three persons, namely, (a) the "caller", (b) the "second staff" in charge of the caller, and (c) another "first staff" who answers the call on behalf of (b). Support for the above limitation can be found, for example, at page 6, line 20 to page 7, line 4 of the current specification.

In contrast, Azvine assumes only two parties, the person receiving the call and the telephone assistant. Accordingly, Azvine fails to disclose the claimed "displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color," because Azvine fails to disclose "an information processing apparatus of the first staff." In other words, a *prima facie* case of obviousness cannot be based up Azvine, because Azvine fails to disclose or suggest (a) the claimed "caller," (b) the claimed "second staff," and (c) the claimed "first staff," as recited, for example, in claim 1. Specifically, Azvine clearly fails to disclose or suggest the claimed "displaying, on an information processing apparatus of the first staff," as recited in claim 1, because Azvine clearly fails to disclose or suggest the claimed "first staff."

Furthermore, Dowling merely discusses a "color changing back lighting system is part of an LCD screen in a telephone" (Dowling, paragraph 143, lines 1-2). Accordingly, Applicants respectfully submit that Dowling fails to disclose or suggest (a) the claimed "caller," (B) the claimed "second staff," and (c) the claimed "first staff," as recited, for example, in claim 1.

Thus, a *prima facie* case obviousness based upon Azvine and Dowling cannot be established, because Azvine assumes only two parties, the person receiving the call and the telephone assistant, (see for example, Azvine at column 29, lines 13- 14), and Dowling discusses a color changing back lighting system as part of an LCD screen in a telephone which fails to provide any motivation or suggestion to one skilled in the art to modify Azvine to achieve

the claimed information processing method for supporting a first staff who answers a telephone call from a caller on behalf of a second staff in charge of the caller. In other words, Azvine and Dowling fail to disclose, or suggest to one skilled in the art, the claimed **"extracting information relating to the caller; deciding a background color of a window based on a response method specified by the second staff in advance and indicating how to respond to the telephone call; and displaying, on an information processing apparatus of the first staff, the information relating to the caller in a window with the decided background color."**

The Office Action asserts that Azvine, at column 7, lines 42-60 discloses the claimed "extracting information relating to the second staff, wherein the displaying includes displaying the information relating to the second staff in the window," as recited in dependent claim 2. Applicants respectfully disagree with the Examiner's assertion. Azvine lacks the information relating to the second staff and the display thereof, since the coordinator 305 and the intelligent agents 201, 203, 205, 207, 209, and 211 disclosed at column 7, lines 42-60 of Azvine do not correspond to the second staff (i.e. staff A who is in charge of the caller). Support the claim amendment can be found, for example, at page 7, lines 10-23 and Fig. 2.

The Office Action asserts that Azvine at column 29, line 45 to column 30, lines 25, discloses the claimed "extracting information relating to a meeting between the caller and the second staff, wherein the displaying includes displaying the information relating to the meeting in the window," as recited in dependent claim 3. Applicants respectfully disagree with the Examiner's assertion. Azvine discloses "the information relating to whether or not the user has a meeting scheduled with the caller" (column 29, lines 35-54), however, does not seem to display the information. Azvine cannot display the information on the meeting between (a) and (b) on the PC of (c), since it lacks (c) as discussed above. Support for the claim amendment can be found, for example, at page 7, lines 10-23 and Fig. 2

Independent claims 7 and 8 patentably distinguish over the cited prior art for similar reasons as independent claim 1.

Accordingly, withdrawal of the claim rejection is respectfully requested.

ITEM 6: REJECTION OF CLAIM 4 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER AZVINE, IN VIEW OF DOWLING, IN FURTHER VIEW OF ADAMS ET AL., U.S. PATENT NO. 6,631,186, HEREINAFTER REFERRED TO AS "ADAMS."

This rejection is respectfully traversed.

The Office Action asserts that Adams, at Figure 9, discloses the claimed "wherein if the response method indicates to deliver a message from the second staff the caller, the displaying includes displaying contents of the message in the window," as recited, for example, in dependent claim 4. Applicants respectfully disagree with the Examiner's assertion.

The "Call Status Screen" shown in Fig. 9 of Adams only displays "scheduling options" (see column 18, lines 36-37), and does not display the contents of the message to the caller. Accordingly, Applicants respectfully submit that claim 4 distinguishes over the cited prior art. Support for claim amendments can be found, for example, at page 7, lines 10-23 and Fig. 2.

ITEM 7: REJECTION OF CLAIM 5 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER AZVINE, IN VIEW OF DOWLING, IN FURTHER VIEW OF PEPPER ET AL., U.S. PATENT NO. 5,930,700, HEREINAFTER REFERRED TO AS "PEPPER."

This rejection is respectfully traversed.

The Office Action asserts that Pepper, at column 11, lines 18-25, discloses the claimed "notifying the second staff by electronic mail, if the response method indicates to deliver a message from the second staff to the caller, of whether the message is delivered to the caller," as recited, for example, in dependent claim 5. Applicants respectfully disagree with the Examiner's assertion.

Pepper only sends a message notifying the call (see column 11, lines 23-24) or displays a note giving the caller name and the length of the message (see column 11, lines 28-32 and Fig. 11), and does not notifies whether the message is delivered to the caller. Accordingly, Applicants respectfully submit that claim 5 distinguishes over the cited prior art. Support for the claim amendments can be found, fir example, at page 9, lines 11-19 and Fig. 4.

ITEM 8: REJECTION OF CLAIM 6 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER AZVINE, IN VIEW OF DOWLING, IN FURTHER VIEW OF FULTZ, U.S. PATENT PUBLICATION NO. 2002/0156701, HEREINAFTER REFERRED TO AS "FULTZ."

This rejection is respectfully traversed.

The Office Action asserts that Fultz, at paragraph 39, discloses the claimed notifying the second staff by electronic mail, if the response method has not been specified and a future meeting is planned between the second staff and the caller, of a change in date or location of the future meeting," as recited, for example, in dependent claim 6. Applicants respectfully disagree with the Examiner's assertion.

Dependent claim 6 is patentably distinguishing at least due to its dependence from independent claim 1 and/or recites patentably distinguishing features of its own. Withdrawal of the rejection of the pending claims and allowance of the pending claims is respectfully requested.

Support for the limitation of claim 6 can be found at page 9, line 20 to page 10, line 12 and Fig. 7.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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